

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANNE L. STEWART, on behalf of herself and )  
all others similarly situated, )

Plaintiff, )

v. )

GINO'S EAST RESTAURANT CORP. )  
BRAVO RESTAURANTS, INC., BG EAST, )  
LLC, EG SERVICES CORP., GINO'S EAST )  
SERVICES, LLC, and DOES 1-10, )

Defendants. )

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BG EAST LLC, )

Defendant/Third-Party Plaintiff, )

v. )

DATA WAVE, INC. )

Third-Party Defendant. )

Case No. 07 CV 6340

Judge Coar

Magistrate Judge Cole

**NOTICE OF MOTION**

**TO:**

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PLEASE TAKE NOTICE that on **July 28, 2008 at 9:00 a.m.** I shall appear before the Honorable Judge David H. Coar in Courtroom 1419, at the U.S. District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois, or any other judge sitting in his stead, and then and there present Defendants' **Motion for Entry of Order of Dismissal Pursuant to Fed. R. Civ. P. 41(a) (2).**

Gino's East Restaurant Corp.,  
Bravo Restaurants, Inc.,  
BG East, LLC, EG Services Corp. and  
Gino's East Services, LLC

By: /s/Daniel S. Kaplan  
One of their attorneys

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that true and correct copies of this **Notice of Motion and Motion for Entry of Order of Dismissal Pursuant to Fed. R. Civ. P. 41(a) (2)** were served upon the above named attorneys, at their addresses of record, via electronic mail and/or U.S. Mail, on July 22, 2008 before 4:00 p.m.

/s/Daniel S. Kaplan  
Daniel S. Kaplan